1985 No. 357

SOCIAL SECURITY

The Occupational Pension Schemes (Revaluation) Regulations (Northern Ireland) 1985

Made . . . . . *16th December 1985*

Coming into operation . . . *1st January 1986*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 37(8) of, and paragraphs 5(4) and 20 of Schedule 1A to, the Social Security Pensions (Northern Ireland) Order 1975(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Occupational Pension Schemes (Revaluation) Regulations (Northern Ireland) 1985 and shall come into operation on 1st January 1986.

(2) In these regulations—

"the Pensions Order" means the Social Security Pensions (Northern Ireland) Order 1975;

"scheme" means an occupational pension scheme within the meaning of Article 2(2) of the Pensions Order;

"normal pension age", "pensionable service", "5 years' qualifying service" and "short service benefit" have the meanings given to them by Schedule 3 to the Pensions Order and regulations made thereunder.

(3) Any reference in these regulations to a numbered paragraph is to the paragraph of Schedule 1A to the Pensions Order bearing that number.

Cases where normal pension age is earlier than 60

2. In their application to a member of a scheme whose normal pension age is earlier than 60, paragraphs 1(2)(*a*) and 2(2)(*a*) shall have effect as if the references in them to the day or date on which he attains normal pension age were references to the day or date on which, under the rules of the scheme, he is to become entitled to payment of short service benefit.

Benefit calculated in more than one way

3.—(1) In a case where the total benefit payable to or in respect of a member of a scheme consists partly of a component to which any one of paragraphs 2 to 5 applies, and partly of a component or components to which another or others of those paragraphs applies or apply, and at least one of those components falls (by virtue of paragraph 3(3)(*b*) or 4(3)(*b*) or otherwise) to be revalued under paragraph 2, that paragraph shall be so modified that—

(*a*) for the purpose of revaluing any of those components which consists of an average salary benefit;

(**a**) S.I. 1975/1503 (N.I. 15); Article 37(8) was amended by Article 6 of, and paragraph 8(*a*) of Schedule 3 to, the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I. 16)), and Schedule 1A was inserted by Article 4 of, and paragraph 3 of Schedule 1 to, that Order

Sealed with the Official Seal of the Department of Health and Social Services on 16th December 1985.

(L.S.) *A. N. Burns*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations are all made under either Article 37(8) of, or Schedule 1A to, the Social Security Pensions (Northern Ireland) Order 1975 ("the Pensions Order"). Article 4 of, and paragraph 3 of Schedule 1 to, and Article 6 of, and paragraph 8(*a*) of Schedule 3 to, the Social Security (Northern Ireland) Order 1985 as referred to in footnote (*a*) on page 1, are brought into operation on 1st January 1986 by the Social Security (1985 Order) (Commencement No. 2) Order (Northern Ireland) 1985 (S.R. 1985 No. 247 (C. 8)).

Regulations 2, 3 and 5 to 8 modify the provisions of Part I (revaluation of pensions) of Schedule 1A to the Pensions Order in their application to particular cases.

Regulation 4 makes provision for the deduction of administrative expenses in relation to the revaluation of money purchase benefits.

Regulation 9 amends the Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1985 by inserting a new regulation which enables a contracted-out scheme to include a provision for the revaluation by a fixed percentage of the guaranteed minimum pensions of those of its members whose requisite benefits are secured by means of an appropriate policy of insurance or annuity contract, even though it makes no such provision for its other members.